

**Notice of Allowability**

Application No.

09/807,114

Applicant(s)

KONDO ET AL.

Examiner

Art Unit

Kimhung Nguyen

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Preliminary Amendment filed on 10-22-2004.
2. ☒ The allowed claim(s) is/are 1-3,5-21,38-44,46,66-68,70-72,74-76,78 and 79.
3. ☒ The drawings filed on 15 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 4/6/01, 10/22/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



**ALEXANDER EISEN**  
**PRIMARY EXAMINER**  
**TECHNOLOGY CENTER 2600**

## **DETAILED ACTION**

### ***Examiner's Amendment***

1. Authorization for this examiner's amendment was given in a telephone interview with Mr. William Frommer on 3/18/05.
2. Cancel claims 47, 69, 73 and 77.
3. In claim 15, line 2, the "future" should change to --feature--.
4. This Application has been examined. The claims 1-3, 5-21, 38-44, 46, 66-68, 70-72, 74-76 and 78-79 are pending. The examination results are as following.

### ***Reasons For Allowance***

5. The following is an examiner's statement of reasons for allowance: None of the cited art teaches or suggests that a transmitting apparatus or method for transmitting to a receiving apparatus or method comprising the level direction of particular area containing the particular point of the data transmitted to the receiving apparatus or method and deteriorating the resolution in another one or more of the temporal direction, the spatial direction and level direction corresponding to the control information containing the particular point of the data as claims 1, 66, 70, 74, 78, 79; or a receiving apparatus or method for receiving data transmitted from a transmitting apparatus comprising the level direction of a particular area containing the particular point of the data and deteriorates the resolution in another one or more of the temporal direction, the spatial direction, and the level direction corresponding to the control information as

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claims 39, 67, 71, 75; or a transmitting and receiving apparatus or a transmitting and receiving method comprises at least one of the temporal direction, the spatial direction, and the level direction of a particular area containing the particular point of the data and deteriorates the resolution in another one or more of the temporal direction, the spatial direction, and the level direction corresponding to the control information as claims 46, 68, 72, 76.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### *Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen  
March 22, 2005



**ALEXANDER EISEN**  
**PRIMARY EXAMINER**  
**TECHNOLOGY CENTER 2600**